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# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

In the matter of	Case No. <b>05-22107</b>
RAYMOND WARRICK, Jr.	Chapter 7
Debtor(s)	Judge <b>Jeffery P. Hopkins</b>

# FINAL REPORT AND ACCOUNT OF TRUSTEE APPLICATION FOR COMPENSATION AND REIMBURSEMENT OF EXPENSES, CLAIMS ANALYSIS, AND ABANDONMENTS

The petition commencing this case was filed on 10/13/2005, and the undersigned, E. Hanlin Bavely, was appointed as trustee or successor trustee on 10/13/2005. The trustee's bond is in the blanket bond amount or in the amount of \$2,000,000.00.

Upon appointment, the trustee examined the debtor and investigated its financial affairs. The trustee took into his/her possession assets of the estate, that were administered, abandoned or to be abandoned as detailed on the attached updated Individual Estate Property Record and Report (UST Form 1) and Cash Receipts and Disbursement Record (UST Form 2).

Any property not previously abandoned and not administered will be abandoned, if no objection is filed, effective 30 days from the mailing of the Notice and Opportunity for Hearing on Applications for Compensation and Reimbursement of Expenses, Final Report and Account, Claims Analysis and Abandonments.

The trustee reports that funds were received and disbursed during his/her administration of this estate as detailed on the attached Cash Receipts and Disbursement Record (UST Form 2).

The trustee hereby petitions the Court for compensation in the amount of \$1,257.58 and expenses in the amount of \$156.98 for a total of \$1,414.56. The trustee's statutory commission and itemization of expenses is attached to the document as Form 5-A.

The trustee certifies that all claims **subject to payment** have been examined and objections have been finally determined. The trustee's analysis of the claims is attached to this document in Form 5-B or 5-C.

The undersigned trustee certifies to the Court and United States Trustee, under penalty of perjury, that the trustee has faithfully and properly fulfilled the duties of the office of the trustee, including certification that all assets have been liquidated or properly accounted and that the funds of the estate are available for distribution. Therefore, the trustee requests that the Final Report and Account of Trustee, Application for Compensation and Reimbursement of Expenses, Claims Analysis and Abandonments be accepted.

Dated: July 21, 2008 /s/ E. Hanlin Bavely

E. Hanlin Bavely, Trustee 432 Walnut Street, Suite 850 Cincinnati, OH 45202 Bar No.: 0025868

Tel. No.: (513) 621-6621

# REVIEWED BY UNITED STATES TRUSTEE

The Trustee's Final Report and account has been reviewed by the Office of the United States Trustee.

OFFICE OF THE UNITED STATES TRUSTEE

By: /s/ Karen Gordon

KAREN GORDON, PARALEGAL

Office of the United States Trustee

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Case Name: WARRICK, Jr., RAYMOND EDWIN

FORM 5-A CaseNumber: 05-22107

# TRUSTEE'S SUMMARY OF RECEIPTS, DISBURSEMENTS, AND PROPOSED DISTRIBUTIONS

	TOTAL	ALREADY PAID	PROPOSED TO BE PAID
TOTAL RECEIPTS (Actual & Constructive) (less)	\$5,075.80		
Exemptions, Refunds, & Other Non-Compensable Distribution	\$0.00	\$0.00	\$0.00
Available for Distribution & Trustee Compensation	\$5,075.80		
Maximum Trustee Compensation - § 326	\$1,257.58	\$0.00	\$1,257.58

		TOTAL	INTERIM	PROPOSED	% OF
DISTRIBUTION TO CLAIMANTS		CLAIMS	PAYMENTS	DIVIDEND	CLAIM
Secured Claims					
Priority Claims - Bankruptcy Code § 507					
(1) Administrative Expenses (§ 507(a)(1)					
(Itemized)					
Trustee Expenses		\$156.98	\$0.00	\$156.98	100.00%
Copies	\$56.20				
Creditor Notice - Postage	\$46.02				
Postage	\$14.76				
Supplies	\$40.00				
Attorney for Trustee Fees:					
(a) To Trustee or Affiliated Firm					
(b) Special Counsel & Other					
All Other Professional Fees:					
(a) To Trustee or Affiliated Firm					
(b) To Other Than Trustee or Affiliate					
Attorney for Trustee Expenses	i i				
Administrative Expenses from Prior					
Chapter					
Court Costs: Notices/Claims/Fees/UST					
Fees					
Other					
TOTAL EXPENSES OF					
ADMINISTRATION		*****	+	***	
OTHER THAN TRUSTEE		\$156.98	\$0.00	\$156.98	
COMPENSATION					
	1				
(2) Wages, Salaries & Compensation					
(§507(a)(3)					
(3) Tax Claims (§507(a)(8)	1	\$33,108.67	\$0.00	\$3,661.24	11.06%
(4) Other Priority	1			·	
(§507(a)(2),(4)(5),(6),(7) or (9)					
Unsecured Claims - §726(a)(2)					
Unsecured Claims - §726(a)(3)	1				
Claims Pursuant to - §726(a)(4)					
Interest on Claims - §726(a)(5)		\$0.00	\$0.00	\$0.00	0.00%
3 (1)(1)		7 0 1 0 0	7	4	0.00,0
TOTAL CLAIMS AND EXPENSES		+			
OTHER		\$33,265.65	\$0.00	\$3,818.22	
THAN TRUSTEE COMPENSATION		\$55, <b>2</b> 55.55	\$3.00	45,010.22	
		+			
Trustee Compensation		\$1,257.58	\$0.00	\$1,257.58	100.00%
Tracted Compensation	1	Ψ1,237.30	ψ0.00	Ψ1,237.30	100.0070
TOTAL CLAIMS AND EXPENSES	<del>                                     </del>	\$34,523.23	\$0.00	\$5,075.80	
1011H CEMIND IND EM ENGES	1	ψυτ,υΔυ.Δυ	φ0.00	φ3,073.00	
Surplus to Debtor - §726(a)(6)					
TOTAL CLAIMS AND EXPENSES AND					
TOTAL CLAIMS AND EXPENSES AND SURPLUS		\$34,523.23	\$0.00	\$5,075.80	

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FORM 5-B

Case Name: WARRICK, Jr., RAYMOND EDWIN

**CaseNumber: 05-22107** 

# CLAIMS ANALYSIS (Long Form)

The time for filing claims in this case expired on <u>05/15/2006</u>. The trustee has examined ALL OF THE CLAIMS ON FILE THAT WILL BE SUBJECT TO PAYMENT and has made the following analysis:

## FIRST PRIORITY

(Other Chapter Administrative Expenses)

Claim No.	Creditor Name	Claim Amount	*Interest Amount	Dividend Amount	**
	TOTAL:				

## SECOND PRIORITY

(Claims arising after filing of involuntary petition but before entry of order for relief or appointment of trustee)

Claim No.	Creditor Name	Claim Amount	*Interest Amount	<b>Dividend Amount</b>	**
	TOTAL:				

### THIRD PRIORITY

(Wage Claims 90 days prior to filing)

Claim No.	Creditor Name	Claim Amount	*Interest Amount	<b>Dividend Amount</b>	**
	TOTAL:				

### **FOURTH PRIORITY**

(Contributions to Employee Benefit Plans, earned 180 days prior to filing, minus amounts paid as wage claims)

Claim No.	Creditor Name	Claim Amount	*Interest Amount	Dividend Amount	**
	TOTAL:				

## FIFTH PRIORITY

(For persons storing grain or fishermen selling fish produce)

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Claim No.	Creditor Name	Claim Amount	*Interest Amount	Dividend Amount	**
	TOTAL:				

# **SIXTH PRIORITY**

(Deposits on layaways on personal or household goods)

Claim No.	Creditor Name	Claim Amount	*Interest Amount	Dividend Amount	**
	TOTAL:				

# **SEVENTH PRIORITY**

(Alimony/Child Support)

Claim No.	Creditor Name	Claim Amount	*Interest Amount	<b>Dividend Amount</b>	**
	TOTAL:				

# **EIGHT PRIORITY**

(Tax Claims)

Claim No.	Creditor Name	Claim Amount	*Interest Amount	Dividend Amount	**
29	OHIO DEPARTMENT OF TAXATION	\$33,108.67	\$0.00	\$3,661.24	
	TOTAL:	\$33,108.67	\$0.00	\$3,661.24	

# **UNSECURED CLAIMS**

Claim No.	Creditor Name	Claim Amount	*Interest Amount	<b>Dividend Amount</b>	**
	TOTAL:				

## **UNSECURED TARDILY FILED CLAIMS**

Claim No.	<b>Creditor Name</b>	Claim Amount	*Interest Amount	<b>Dividend Amount</b>	**

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TOTAL:		

<sup>\*</sup>Interest paid pursuant to 11 U.S.C. § 726(a)(5) at rate of  $\underline{0.00\%}$  from  $\underline{10/13/2005}$  to  $\underline{07/21/2008}$ . For interest rate please refer to 28 U.S.C. § 1961(b)

<sup>\*\*</sup>Claims marked with \*\* have been disallowed in full pursuant to Court Order.

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ASSET CASES

3

**Estimated Net Value** 

(Value Determined by

Trustee,

05-22107 Case No.:

WARRICK, Jr., RAYMOND EDWIN Case Name:

**Asset Description** 

(Scheduled and

Unscheduled (u) Property)

7/21/2008 For the Period Ending:

Trustee Name: Date Filed (f) or Converted (c):

5

Sales/Funds

Received by

the Estate

Page No: 1

E. Hanlin Bavely 10/13/2005 (f)

6

§341(a) Meeting Date:

**Claims Bar Date:** 

4

**Property** 

Abandoned

OA = § 554(a) abandon.

01/06/2006 05/15/2006

Asset Fully Administered (FA)/

**Gross Value of Remaining Assets** 

Unscheduled (d) Froperty)	vaiue	Less Liens, Exemptions, and Other Costs)	DA=§ 554(c) abandon.	the Estate	
<u>Ref. #</u>					
1 8165 Startinggate Lane	\$480,000.00	\$0.00	OA	\$0.00	FA
Cincinnati, OH 45249					
2 Fifth Third Business checking - funds seized	\$0.00	\$0.00	DA	\$0.00	FA
Fifth Third Bank - checking	\$10.00	\$0.00	DA	\$0.00	FA
4 US Bank - checking	\$100.00	\$0.00	DA	\$0.00	FA
Fifth Third Bank - Business checking sized by bank	\$0.00	\$0.00	DA	\$0.00	FA
6 Household goods and furnishings	\$1,535.00	\$0.00	DA	\$0.00	FA
7 Wearing apparel	\$200.00	\$0.00	DA	\$0.00	FA
8 Rolex watch	\$800.00	\$0.00	DA	\$0.00	FA
9 .380 pistol	\$0.00	\$0.00	DA	\$0.00	FA
10 Banner Life Insurance - Term	\$0.00	\$0.00	DA	\$0.00	FA
11 Security-Connecticut Life Insurance (Term)	\$0.00	\$0.00	DA	\$0.00	FA
12 100% owner Warben Enterprises Group Inc no assets	\$0.00	\$0.00	DA	\$0.00	FA
13 70% owner Cincinnati Education Company	Unknown	\$0.00	DA	\$0.00	FA
14 100% owner Kenker Box Company - debts exceed assets	\$0.00	\$0.00	DA	\$0.00	FA
15 90% owner Club Z Cincinnati, Inc.	Unknown	\$5,000.00		\$5,000.00	FA
Account receivable owed approx. \$119,000 for Kenker Box Company (collectibility zero)	\$0.00	\$0.00	DA	\$0.00	FA
	Unknown	Unknown		\$75.80	FA
TOTALS (Excluding unknown value)	\$482,645.00	\$5,000.00		\$5,075.80	Gross Value of Remaining Assets \$0.00

06/30/2006 Notice of Intent to Close has been filed. Trustee will review Clerk certification and claims and continue with closing process.

2

Petition/

Unscheduled

Value

06/30/2007 Trustee's review of claims prior to closing requires the filing of an objection to claims in this matter. After objection is filed and order entered, Trustee will file his Final Report. Case 1:05-bk-22107 Doc 28 Filed 07/30/08 Entered 07/30/08 09:02:07 Desc Main

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ASSET CASES

05-22107 Case No.:

WARRICK, Jr., RAYMOND EDWIN Case Name:

7/21/2008 For the Period Ending:

Trustee Name:

E. Hanlin Bavely

Date Filed (f) or Converted (c):

Page No: 2

10/13/2005 (f) 01/06/2006

§341(a) Meeting Date: **Claims Bar Date:** 

05/15/2006

1	2	3	4	5	6
Asset Description (Scheduled and Unscheduled (u) Property)	Petition/ Unscheduled Value	Estimated Net Value (Value Determined by Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA = § 554(a) abandon. DA= § 554(c) abandon.	Sales/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets

**Initial Projected Date Of Final Report (TFR):** 12/31/2006 **Current Projected Date Of Final Report (TFR):**  07/21/2008

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Case No. 05-22107

Case Name: WARRICK, Jr., RAYMOND EDWIN

Primary Taxpayer ID #:

766215138

Co-Debtor Taxpayer ID #:

10/13/2005 For Period Beginning: 7/21/2008 For Period Ending:

E. Hanlin Bavely **Trustee Name:** 

Sterling Bank Bank Name:

8192051297 Checking Acct #:

<u>CK</u> **Account Title:** 

\$2,000,000.00 Blanket bond (per case limit):

Separate bond (if applicable):

1	2	3	4	Separate so.	5	6	7
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance
02/07/2006	(15)	Raymond Edwin Warrick, Jr.	Compromise of debtor-equity in Club Z Cincinnati, Inc.	1129-000	\$5,000.00		\$5,000.00
02/28/2006	(INT)	Sterling Bank	Interest Earned For February	1270-000	\$1.51		\$5,001.51
03/31/2006	(INT)	Sterling Bank	Interest Earned For March	1270-000	\$2.34		\$5,003.85
04/28/2006	(INT)	Sterling Bank	Interest Earned For April	1270-000	\$2.26		\$5,006.11
05/31/2006	(INT)	Sterling Bank	Interest Earned For May	1270-000	\$2.65		\$5,008.76
06/30/2006	(INT)	Sterling Bank	Interest Earned For June	1270-000	\$2.88		\$5,011.64
07/31/2006	(INT)	Sterling Bank	Interest Earned For July	1270-000	\$2.98		\$5,014.62
08/31/2006	(INT)	Sterling Bank	Interest Earned For August	1270-000	\$2.98		\$5,017.60
09/29/2006	(INT)	Sterling Bank	Interest Earned For September	1270-000	\$2.89		\$5,020.49
10/31/2006	(INT)	Sterling Bank	Interest Earned For October	1270-000	\$2.98		\$5,023.47
11/30/2006	(INT)	Sterling Bank	Interest Earned For November	1270-000	\$2.89		\$5,026.36
12/29/2006	(INT)	Sterling Bank	Interest Earned For December	1270-000	\$2.99		\$5,029.35
01/31/2007	(INT)	Sterling Bank	Interest Earned For January	1270-000	\$2.99		\$5,032.34
02/28/2007	(INT)	Sterling Bank	Interest Earned For February	1270-000	\$2.70		\$5,035.04
03/30/2007	(INT)	Sterling Bank	Interest Earned For March	1270-000	\$2.99		\$5,038.03
04/30/2007	(INT)	Sterling Bank	Interest Earned For April	1270-000	\$2.90		\$5,040.93
05/31/2007	(INT)	Sterling Bank	Interest Earned For May	1270-000	\$3.00		\$5,043.93
06/29/2007	(INT)	Sterling Bank	Interest Earned For June	1270-000	\$2.90		\$5,046.83
07/31/2007	(INT)	Sterling Bank	Interest Earned For July	1270-000	\$3.00		\$5,049.83
08/31/2007	(INT)	Sterling Bank	Interest Earned For August	1270-000	\$3.00		\$5,052.83
09/28/2007	(INT)	Sterling Bank	Interest Earned For September	1270-000	\$2.74		\$5,055.57
10/31/2007	(INT)	Sterling Bank	Interest Earned For October	1270-000	\$2.58		\$5,058.15
11/30/2007	(INT)	Sterling Bank	Interest Earned For November	1270-000	\$2.49		\$5,060.64
12/31/2007	(INT)	Sterling Bank	Interest Earned For December	1270-000	\$2.58		\$5,063.22
01/31/2008	(INT)	Sterling Bank	Interest Earned For January	1270-000	\$2.45		\$5,065.67
02/29/2008	(INT)	Sterling Bank	Interest Earned For February	1270-000	\$2.01		\$5,067.68
03/31/2008	(INT)	Sterling Bank	Interest Earned For March	1270-000	\$1.97		\$5,069.65
04/30/2008	(INT)	Sterling Bank	Interest Earned For April	1270-000	\$1.66		\$5,071.31

SUBTOTALS

\$5,071.31

\$0.00

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Case No. 05-22107

Case Name: WARRICK, Jr., RAYMOND EDWIN

Primary Taxpayer ID #:

766215138

Co-Debtor Taxpayer ID #:

10/13/2005 For Period Beginning: 7/21/2008 For Period Ending:

E. Hanlin Bavely **Trustee Name:** 

Sterling Bank Bank Name:

8192051297 Checking Acct #:

\$2,000,000.00

**Account Title:** <u>CK</u>

Blanket bond (per case limit): Separate bond (if applicable):

1	2	3	4		5	6	7
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance
05/30/2008	(INT)	Sterling Bank	Interest Earned For May	1270-000	\$1.72		\$5,073.03
06/30/2008	(INT)	Sterling Bank	Interest Earned For June	1270-000	\$1.66		\$5,074.69
07/21/2008	(INT)	Sterling Bank	Interest Posted While Changing To Checking Account	1270-000	\$1.11		\$5,075.80

TOTALS:	\$5,075.80	\$0.00	\$5,075.80
Less: Bank transfers/CDs	\$0.00	\$0.00	
Subtotal	\$5,075.80	\$0.00	
Less: Payments to debtors	\$0.00	\$0.00	
Net	\$5,075.80	\$0.00	

#### For the period of <u>10/13/2005</u> to <u>7/21/2008</u>

#### For the entire history of the account between <u>02/07/2006</u> to <u>7/21/2008</u>

Total Compensable Receipts: Total Non-Compensable Receipts: Total Comp/Non Comp Receipts: Total Internal/Transfer Receipts:	\$5,075.80 \$0.00 \$5,075.80 \$0.00	Total Compensable Receipts: Total Non-Compensable Receipts: Total Comp/Non Comp Receipts: Total Internal/Transfer Receipts:	\$5,075.80 \$0.00 \$5,075.80 \$0.00
Total Compensable Disbursements: Total Non-Compensable Disbursements: Total Comp/Non Comp Disbursements: Total Internal/Transfer Disbursements:	\$0.00 \$0.00 \$0.00 \$0.00	Total Compensable Disbursements: Total Non-Compensable Disbursements: Total Comp/Non Comp Disbursements: Total Internal/Transfer Disbursements:	\$0.00 \$0.00 \$0.00 \$0.00

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Case No. 05-22107

Case Name: WARRICK, Jr., RAYMOND EDWIN

Primary Taxpayer ID #:

766215138

Co-Debtor Taxpayer ID #:

10/13/2005 For Period Beginning: 7/21/2008 For Period Ending:

Trustee Name:

E. Hanlin Bavely

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**Bank Name:** 

Sterling Bank 8192051297

Checking Acct #:

**Account Title:** 

CK

Blanket bond (per case limit):

\$2,000,000.00

For Period Endin	g:	<u>7/21/2008</u>	Separate bond (if applicable):				
1	2	3	4		5	6	7
Transaction Date	Check / Ref. #	Paid to/ Received From	Description of Transaction	Uniform Tran Code	Deposit \$	Disbursement \$	Balance

TOTAL - ALL ACCOUNTS	NET DEPOSITS	NET DISBURSE	ACCOUNT BALANCES
	\$5,075.80	\$0.00	\$5,075.80

For the entire history of the case between 10/13/2005 to 7/21/2008

#### For the period of 10/13/2005 to 7/21/2008

#### \$5,075.80 Total Compensable Receipts: \$5,075.80 Total Compensable Receipts: \$0.00 \$0.00 Total Non-Compensable Receipts: Total Non-Compensable Receipts: \$5,075.80 Total Comp/Non Comp Receipts: \$5,075.80 Total Comp/Non Comp Receipts: \$0.00 \$0.00 Total Internal/Transfer Receipts: Total Internal/Transfer Receipts: \$0.00 \$0.00 Total Compensable Disbursements: Total Compensable Disbursements: \$0.00 \$0.00 Total Non-Compensable Disbursements: Total Non-Compensable Disbursements: \$0.00 Total Comp/Non Comp Disbursements: \$0.00 Total Comp/Non Comp Disbursements: Total Internal/Transfer Disbursements: \$0.00 Total Internal/Transfer Disbursements: \$0.00